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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,490	02/22/2002	Warren E. Cory	X-1054 US	3728
24309	7590	12/09/2005	EXAMINER	
XILINX, INC ATTN: LEGAL DEPARTMENT 2100 LOGIC DR SAN JOSE, CA 95124			AGHDAM, FRESHTEH N	
			ART UNIT	PAPER NUMBER
			2631	

DATE MAILED: 12/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. <span style="float: right;">CK</span>	Applicant(s)	
	10/082,490	CORY, WARREN E.	
	Examiner	Art Unit	
	Freshteh N. Aghdam	2631	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 September 2005.
- 2a) ☒ This action is FINAL.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 and 9-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5-8 and 13-20 is/are allowed.
- 6) ☒ Claim(s) 1-4 and 9-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments, see page 7, filed 9/19/2005, with respect to the rejection(s) of claim(s) 1-8 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Lippett et al (US 6,667,993) and Cotton et al (US 5,870,441).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 and 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lippett et al (US 6,667,993), and further in view of Cotton et al (US 5,870,441).

As to claims 1 and 2, Lippett teaches a system for coordinating channel bonding operations of a plurality of transceivers (Col. 2, Lines 23-28) comprising: a master transceiver that performs channel bonding operations for aligning data (Fig. 5, means 400(0)); a plurality of first level transceivers that perform channel bonding operations, each first level transceivers being controlled by the master transceiver (Fig. 5, means 400(1)-400(n)); and a plurality of second level transceivers that perform channel

bonding operations (Fig. 8, means 700(1)-700(n); Col. 4, Lines 12-16; Col. 5, Lines 1-8; Col. 9, Lines 43-54). Lippett is silent about each second level transceiver being controlled by one of the plurality of first level transceivers. Cotton teaches each of the plurality of transceivers can be selected as either the master transceiver, one of the first level transceivers or one of the second level transceivers since the master buffer can be switched to a slave buffer and vice versa (Col. 2, Lines 56-67; Col. 3, Lines 1-7). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teaching of Cotton with Lippett in order to provide a failure recovery mechanism with fast and automatic recovery in the event of a failure in a master clock (Abstract).

As to claim 3, Cotton further teaches a clock signal, and wherein the master transceiver and the plurality of first level transceivers generate respective control signals at different cycles of the clock signal (Col. 3, Lines 1-39). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teaching of Cotton with Lippett in order to provide a failure recovery mechanism with fast and automatic recovery in the event of a failure in a master clock (Abstract).

As to claim 4, Cotton further teaches each of the plurality of transceivers contains at least one buffer for the channel bonding operations (Col. 4, Lines 8-20). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teaching of Cotton with Lippett in order to perform clock correction and/ or synchronization in order to adjust the unaligned incoming data (Col. 2, Lines 12-20).

As to claim 9, Lippett teaches a system for aligning bytes of a word (Col. 2, Lines 22-28; Col. 9, Lines 27-31; Table 8, Lines 34-37).

As to claim 10, Cotton teaches each transceiver comprises a controller for receiving a mode control signal designating the transceiver as a master transceiver or a slave transceiver (Col. 3, Lines 1-39). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teaching of Cotton with Lippett in order to provide a failure recovery mechanism with fast and automatic recovery in the event of a failure in a master clock (Abstract).

As to claim 11, Lippett teaches said transceivers comprise a plurality of levels, where each slave transceiver comprises an input to receive a control signal from a previous level (Fig. 2, 5, and 8).

As to claim 12, Cotton further teaches each slave transceiver is configured by mode control signal to receive a control signal from either a master transceiver or a slave transceiver (Col. 2, Lines 56-67; Col. 3, Lines 1-39). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teaching of Cotton with Lippett in order to provide a failure recovery mechanism with fast and automatic recovery in the event of a failure in a master clock (Abstract).

### ***Allowable Subject Matter***

Claims 5-8 and 13-20 are allowed. The following is an examiner's statement of reasons for allowance:

The prior art of record fails to teach the limitations cited in claims 5-8 and 13-20.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

As to claims 5-7 and 13-20, the prior art of record fails to teach the limitations as recited in the claims.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

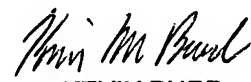
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Freshteh N. Aghdam whose telephone number is (571) 272-6037. The examiner can normally be reached on Monday through Friday 9:00-5:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on (571) 272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Freshteh Aghdam  
December 2, 2005

  
**KEVIN BURD**  
**PRIMARY EXAMINER**